

BILL NO. G-76-04-26

GENERAL ORDINANCE NO. G-12-76

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of certain alleys and easement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of certain alleys and an easement having been filed with the Fort Wayne City Plan Commission on March 15, 1976 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alleys and easement, to-wit:

The North and South public alley approximately 16 feet in width running from Main Street to the first alley North of Main Street, and being a public alley existing between Lots 1 and 2 in L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in Orff's Mill Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof; ALSO, the first public alley North of Main Street and being 12 feet in width and extending from West to East from a projection of the West lines of Lot "A" in said Orff's Mill Addition and Lot 1 in said Curdes Subdivision to the West property line of the Norfolk & Western Railway Corporation, being irregularly shaped near its Eastern terminus, but there being approximately 50 feet in width; ALSO, an easement through and under the North 10 feet of the South 100 feet of Lots Numbered 2, 3, 4, 5, 6 and 7, L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in Orff's Mill Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof, which said easement was granted to the City of Fort Wayne, Allen County, Indiana, by Deed dated May 24, 1941 and recorded May 26, 1941 in Deed Record 368, page 78 in the Office of the Recorder of Allen County, Indiana, and also shown by an instrument recorded in Plat Record 16, page 7, on May 7, 1942.

APPROVED AS TO FORM
AND LEGALITY.

CITY ATTORNEY

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4 SECTION 2. After passage of this Ordinance, approval by
5 the Mayor and legal publication, a duly certified copy of this
6 Ordinance, of the recommendation of the Fort Wayne City Plan
7 Commission, and of the action of the Mayor, shall be transmitted
8 by the City Clerk to the Board of Public Works of the City
9 of Fort Wayne, Indiana.

10 SECTION 3. This Ordinance shall be in full force and
11 effect from and after its passage, approval by the Mayor and
12 legal publication thereof.

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15 Councilman
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Read the first time in full and in motion by Burns, seconded by Hinga, and duly adopted: read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due local notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 4-13-76 Charles W. Wintermire
CITY CLERK

Read the third time in full and on motion by H. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-HIT
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	<input checked="" type="checkbox"/>				
HINGA	<input checked="" type="checkbox"/>				
HUNTER	<input checked="" type="checkbox"/>				
HOSES				<input checked="" type="checkbox"/>	
HUCKOLS	<input checked="" type="checkbox"/>				
SCHMIDT, D.	<input checked="" type="checkbox"/>				
SCHMIDT, V.	<input checked="" type="checkbox"/>				
STIER	<input checked="" type="checkbox"/>				
TALARICO	<input checked="" type="checkbox"/>				

DATE: 4-27-76 Charles W. Wintermire
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 28th 76 on the 27th day of April, 1976.

(SEAL) James Stier
PRESIDENT OFFICER

Presented by Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 1976, at the hour of 11:00 o'clock A. H., E.S.T.

Approved and signed by me this 28th day of April, 1976, at the hour of 4:30 o'clock P. H., E.S.T.
Robert Elamstrong
MAYOR
Charles W. Wintermire
CITY CLERK

Bill No. G-76-04-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of certain alleys
and easement.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

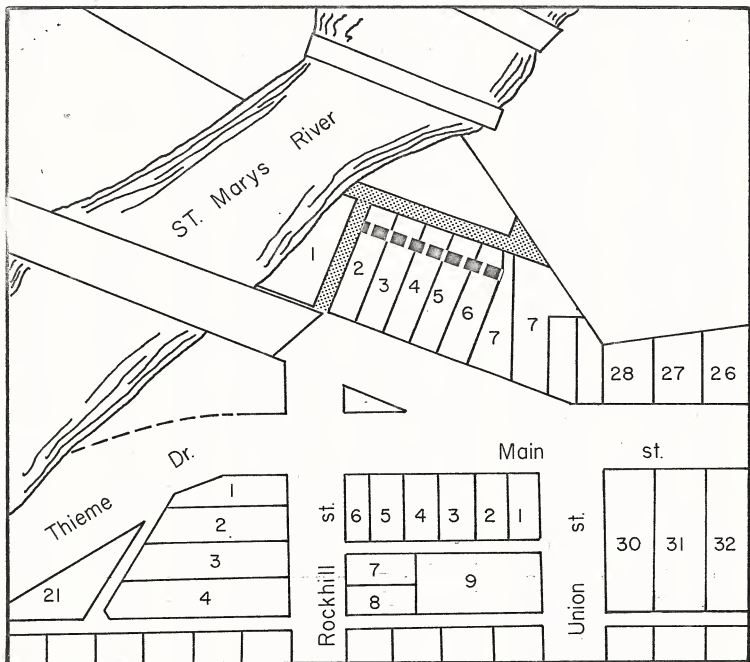
Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

John Nuckols
Paul M. Burns
Vivian G. Schmidt
D. J. Schmidt

DATE 4-27-76 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK.



To be vacated



Easement

2-27-76

AA-3, BB-3

L.S.

N





THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
division of long range planning and zoning

March 29, 1976

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

The vacation of the east-west alley and the north-south alley,
along with the east-west easement, all located in L. F.
Curdes Subdivision, generally located north of Main Street
and east of the St. Mary's River.

which was approved by the City Plan Commission at its regular meeting
held March 22, 1976.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of March, 1976.

Joseph N. Adair
Secretary



RESOLUTION

WHEREAS, ST. JOSEPH HOSPITAL OF FORT WAYNE, INC. has petitioned and requested the City Plan Commission of the City of Fort Wayne, Indiana, to hold a public hearing upon a vacation of the following public alleys and easement in Allen County, Indiana, to-wit:

The North and South public alley approximately 16 feet in width running from Main Street to the first alley North of Main Street, and being a public alley existing between Lots 1 and 2 in L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in Orff's Mill Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof; ALSO, the first public alley North of Main Street and being 12 feet in width and extending from West to East from a projection of the West line of Lot "A" in said Orff's Mill Addition and Lot 1 in said Curdes Subdivision to the West property line of the Norfolk & Western Railway Corporation, being irregularly shaped near its Eastern terminus, but there being approximately 30 feet in width; ALSO, an easement through and under the North 10 feet of the South 100 feet of Lots Numbered 2, 3, 4, 5, 6 and 7, L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in Orff's Mill Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof, which said easement was granted to the City of Fort Wayne, Allen County, Indiana, by Deed dated May 24, 1941 and recorded May 26, 1941 in Deed Record 368, page 78 in the Office of the Recorder of Allen County, Indiana, and also shown by an instrument recorded in Plat Record 16, page 7, on May 7, 1942;

all in accordance with the terms of I. C. 18-7-5-46 of the laws of the State of Indiana, and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said Public Hearing was held on March 15, 1976, at 7:30 P.M., and at such hearing there were no objections of any kind or character which would prevent the vacation of said public alleys and easement;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alleys and easement hereinabove described, conforms to the general policy and pattern of development set out in the

Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alleys and easement hereinbefore described are hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys and easements in Allen County, Indiana.

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

I, Joseph N. Adair, Secretary,
do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said commission on March , 1976, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 29th DAY OF MARCH, 1976.

FORT WAYNE CITY PLAN COMMISSION

BY Joseph N. Adair
Joseph N. Adair, Secretary

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

BEFORE THE CITY PLAN COMMISSION
OF THE CITY OF FORT WAYNE,
INDIANA AND THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE,
INDIANA

PETITION TO VACATE ALLEYS AND EASEMENT

Comes now ST. JOSEPH HOSPITAL OF FORT WAYNE, INC., and hereby petitions the City Plan Commission of the City of Fort Wayne, Indiana, and the Common Council of the City of Fort Wayne, Indiana, for vacation of that certain public alley located in the City of Fort Wayne, Allen County, Indiana, and described as follows:

The North and South public alley approximately 16 feet in width running from Main Street to the first alley North of Main Street, and being a public alley existing between Lots 1 and 2 in L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in Orff's Mill Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof; Also, the first public alley North of Main Street and being 12 feet in width and extending from West to East from a projection of the West line of Lot "A" in said Orff's Mill Addition and Lot 1 in said Curdes Subdivision to the West property line of the Norfolk & Western Railway Corporation, being irregularly shaped near its Eastern terminus, but there being approximately 50 feet in width; Also, an easement through and under the North 10 feet of the South 100 feet of Lots Numbered 2, 3, 4, 5, 6 and 7, L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in Orff's Mill Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof, which said easement was granted to the City of Fort Wayne, Allen County, Indiana, by Deed dated May 24, 1941 and recorded May 26, 1941 in Deed Record 368, page 78 in the Office of the Recorder of Allen County, Indiana, and also shown by an instrument recorded in Plat Record 16, page 7 on May 7, 1942.

In support of its petition, Petitioner represents and shows as follows:

1. That your Petitioner is the fee simple owner of said Lot "A" and Lot 7 in Orff's Mill Addition to the City of Fort Wayne, Allen County, Indiana, and the owner of Lot No. 6, in fee simple, in L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in said Orff's Mill Addition, and has Lots Numbered 7 and 5 under contract to purchase in said L. F. Curdes Subdivision of said Lots 1, 2, 3, 4, 5 and 6 in Orff's Mill Addition, and will as soon as title problems can be worked out, acquire ownership of Lots 1, 2, 3 and 4 in L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in said Orff's Mill Addition.

2.

3. That the alleys to be vacated are cinder alleys and have been used to service the properties adjacent thereto, but are no longer required because of the fact that all of said land on the North, South, East and West of said alleys will become parking area for automobiles and that it is the Petitioners belief that said alleys are not required for the growth of the City of Fort Wayne, Indiana, nor necessary for ingress and egress to any real estate within said City.

4. That said easement is a public easement for sewer purposes only and that the said easement is no longer required by reason of the change in use contemplated for said real estate.

5. That your Petitioner believes that the vacation of said alleys and said sewer will enable your Petitioner to make more advantageous use for said real estate and proper development of said property for public and private interest of the City of Fort Wayne, Indiana.

6. That your Petitioner has filed with the Board of Public Works of the City of Fort Wayne a petition in regard to the vacation of these alleys and this sewer and has requested appropriate resolutions and action by the Board of Public Works of the City of Fort Wayne, Indiana.

WHEREFORE, the undersigned, ST. JOSEPH HOSPITAL OF FORT WAYNE, INC. prays for the vacation of said alleys and said easement according to the provisions of the Indiana law pertaining thereto and for all other just and proper relief.

ST. JOSEPH HOSPITAL OF
FORT WAYNE, INC.

BY Sister Kathleen Zuerin
Administrator

March 12, 1976

City Plan Commission
City of Fort Wayne, Indiana
City-County Building
Fort Wayne, In. 46802

Gentlemen:

This will supplement and to the extent necessary amend the petition heretofore filed to vacate alleys and easement, scheduled for public hearing on March 15, 1976 at 7:30 P.M. in the Council Chambers, City-County Building, Fort Wayne, Indiana.

In consideration of the Park Department of City of Fort Wayne withdrawing its objection to vacation of the alley running north and south, somewhat parallel to the edge of St. Mary's River, St. Joseph's Hospital of Fort Wayne, Inc., petitioner, agrees as follows:

If said alley is vacated, St. Joseph's Hospital of Fort Wayne, Inc. may use the same and improve same for automobile parking or any other lawful use so long as same is not required for actual use by the Park Department of City of Fort Wayne, Indiana in river bank beautification. If and when the Park Department of the City of Fort Wayne should decide and undertake to actually use said vacated alley for river bank beautification or use as a part of the park system plan, then St. Joseph's Hospital of Fort Wayne, Inc. will by appropriate deed of conveyance convey to the Park Department of the City of Fort Wayne said vacated alley running north and south parallel to the edge of the St. Mary's River, it being understood and agreed by the City of Fort Wayne and the Park Department of the City of Fort Wayne that all cost and expense of removal of paving and structures placed upon said vacated alley shall be borne by the City of Fort Wayne and its Park Department.

Page #2
City Plan Commission
March 12, 1976

of the City of Fort Wayne shall constitute this binding agreement.

ST. JOSEPH'S HOSPITAL OF FORT WAYNE, INC.

By: Sister M. Kathleen Quinn
Its Administrator

Accepted by Park Department of City of Fort Wayne.

PARK DEPARTMENT OF CITY OF FORT WAYNE

By: _____
Its

alley vacated

March 15, 1976

City Plan Commission
City of Fort Wayne, Indiana
City-County Building
Fort Wayne, In. 46802

Gentlemen:

St. Joseph's Hospital of Fort Wayne, Inc. is the owner of Lot "A" in Orff's Mill Addition to the City of Fort Wayne, Allen County, Indiana.

St. Joseph's Hospital of Fort Wayne, Inc. proposes to use said real estate for vehicular parking. The Park Department of the City of Fort Wayne states that it may decide in the future to use a strip of land parallel with the St. Mary's River extending along said River on the west edge of said Lot "A" in Orff's Mill Addition for river bank improvement. The specific piece of real estate bought by the Park Department would be a strip of land 16 feet in width from east to west, extending east from the top of the high bank on the east side of the St. Mary's River as shown on Certificate of Survey of Lot A in Orff's Mill Addition prepared by Carl A. Hofer, Civil Engineer and Land Surveyor on August 28, 1975. Said 16 foot wide strip of land shall run from south to north along the west line of said Lot "A" Orff's Mill Addition as said lot is shown on said Certificate of Survey. St. Joseph's Hospital of Fort Wayne, Inc. intends to use this land and improve same for parking of vehicles.

In consideration of the Park Department of Fort Wayne withdrawing any objection it may have to said use, St. Joseph's Hospital of Fort Wayne, Inc. will by appropriate instrument grant to the Park Department of the City of Fort Wayne the use of said 16 foot strip of land on condition that all costs and expenses of removal of paving and structures placed thereon by St. Joseph's Hospital of Fort Wayne, Inc. shall be borne exclusively by the Park Department of the City of Fort Wayne. Further, if any paving is removed at the west edge of the real estate owned by St. Joseph's Hospital of Fort Wayne, Inc. the Park Department of the City of Fort Wayne shall bear any and all expense of any paving and curbing of the west edge of said pavement. Grant shall be made when the Park Department starts using land. Signature of acceptance by the proper officials of St. Joseph's Hospital of Fort Wayne, Inc. and the Park Department

TITLE OF ORDINANCE Easement and alleys vacation ordinance2-76-04-26DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNINGSYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the
following described alleys and easement:The east-west alley and the north-south alley, along with the east-west
easement, all located in L. F. Curdes Subdivision generally located north
of Main Street and east of St. Marys River.EFFECT OF PASSAGE Petitioners are requesting the vacation of said alleys
and easement for a parking lot for St. Joseph Hospital.EFFECT OF NON-PASSAGE Alleys and easement would remain open.MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation #1



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

April 29, 1976

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of May 4 and May 11, 1976,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-76-04-26
General Ordinance No. G-12-76

Bill No. G-76-04-27
General Ordinance No. G-13-76

Bill No. G-76-04-29
General Ordinance No. G-14-76

Please send us (5) five copies of the Publisher's Affidavit from both newspapers.

Thank you.

Charles W. Westerman
City Clerk

CWW/ne
Encl: 3

DATA FOR COMPUTING COST

Width of single column 11 ems

Number of insertions 2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount of the account is correct, and that no part of the same has been paid.

Date May 11 19 76

Legal Notices	Legal Notices	Legal Notices	Legal Notices	Tu's., May 11, 1976 FOR
<p>BILL NO. G-76-04-26 GENERAL ORDINANCE NO. G-12-76 AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of certain alleys and easement. BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: SECTION 1. Petition for the vacation of certain alleys and an easement having been filed with the Fort Wayne City Plan Commission on March 15, 1976 following a public hearing thereon all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1943 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 33-744) the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the</p>	<p>Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alleys and easement, to-wit:</p> <p>The North and South public alley approximately 16 feet in width running from Main Street to the first alley North of Main Street, and being a public alley existing between Lots 1, and 2 in L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in Orr's Mill Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof; ALSO, the first public alley North of Main Street and being 12 feet in width and extending from West of East front a projection of the West lines of Lot "A" in said Orr's Mill Addition and Lot 1 in said Curdes Subdivision to the West property line of</p>	<p>the Norfolk & Western Railway Corporation, being irregularly shaped near its Eastern terminus, but there being approximately 50 feet in width; ALSO, an easement through and under the North 10 feet of the South 100 feet of Lots Numbered 2, 3, 4, 5, 6 and 7, L. F. Curdes Subdivision of Lots 1, 2, 3, 4, 5 and 6 in Orr's Mill Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof, which said easement was granted to the City of Fort Wayne, Allen County, Indiana, by Deed dated May 24, 1941 and recorded May 26, 1941 in Deed Record 368, page 78 in the Office of the Recorder of Allen County, Indiana, and also shown by an instrument recorded in Plat Record 16, page 7, on May 7, 1942.</p> <p>SECTION 2. After passage of this Or-</p>	<p>dinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.</p> <p>SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.</p> <p>Paul M. Burns Conciliator</p> <p>Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage, PASSED by the following vote:</p> <p>Ayes: Eight Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico Nays: None</p>	<p>Legal Notices</p> <p>Absent: One Moses</p> <p>Date: 4-27-76 Charles W. Western City Clerk</p> <p>Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-76 on the 27th day of April, 1976.</p> <p>Charles W. Western City Clerk</p> <p>JAMES S. STIER Presiding Officer</p> <p>Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 28th day of April, 1976, at the hour of 11 o'clock A.M., E.S.T.</p> <p>CHARLES W. WESTERMAN City Clerk</p> <p>Approved and signed by me this 28th</p>

LEGAL NOTICE

Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-76-04-26 G-12-76 General Ordinance, to-wit:

Subscribed and sworn to before me

My commission expires Sep

Common Council of Fort Wayne

(Governmental Unit)

To THE NEWS-SENTINEL

Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

1

Body number of lines

131

Tail number of lines

2

Total number of lines in notice

134

COMPUTATION OF CHARGES

134 lines, 1 columns wide equals 134 equivalent lines at .268¢ cents per line

\$ 38.59

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

1.50

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 40.09

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 $\frac{1}{2}$ point

Number of insertions 2

Size of quad upon which type is cast 5 $\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 11, 1976

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
 ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

5/4-11/76

Subscribed and sworn to before me this 11th day of May 1976

My commission expires

September 28, 1979

Legal Notices

LEGAL NOTICE

Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-76-04-29, General Ordinance, to-wit:

Bill No. G-76-04-29
 General Ordinance No. G-14-7
 An ordinance amending certain provisions of Chapter 17 of The Code of Ordinances of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-76-04-29 G-14-7 General Ordinance, to-wit:

LEGAL NOTICE
 Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-76-04-29 G-14-7 General Ordinance, to-wit:

Old Trail Rd. to Baer Rd. except at One

Common Council of Fort Wayne
(Governmental Unit)

To: JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

LEGAL NOTICE

Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-76-04-26 G-12-76 General Ordinance, to-wit:

BILL NO. G-76-04-26

GENERAL ORDINANCE NO. G-12-76

AN ORDINANCE amending General

Ordinance No. G-97 by

authorizing the vacation of

certain alleys and easement.

BE IT ORDAINED BY THE COM-

MON COUNCIL OF THE CITY OF

FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation

of certain alleys and an easement hav-

ing been filed with the Fort Wayne City

Plan Commission on March 15, 1975 fol-

lowing a public hearing thereon all in

accordance with Section 44, Chapter

174, of the Acts of the General Assem-

bly of the State of Indiana, as amended

by Section 3, Chapter 385, of the Acts of

1963 of the General Assembly of the

State of Indiana (Burns Ind. Stat., 1974

Replacement, Sec. 23-744) the Thor-

oughfare Plan as set forth in General

Ordinance No. G-97 adopted by the

Common Council of the City of Fort

Wayne, on November 28, 1963, is

amended by deleting the following al-

leys and easement, to-wit:

The North and South public alley

approximately 16 feet in width run-

ning from Main Street to the first

alley North of Main Street, and

being a public alley existing be-

tween Lots 1, and 2 in 6 in Curdes

Subdivision of Lots 1, 2, 3, 4, 5 and

6 in Orr's Mill Addition to the City

of Fort Wayne, Indiana, according

to the recorded plat thereof; ALSO,

the first public alley North of Main

Street and being 12 feet in width

and extending from West of East

from a projection of the West lines

of Lot "A" in said Orr's Mill Addi-

tion and Lot 1 in said Curdes subdivi-

sion to the West property line of

the Norfolk & Western Railway

Corporation, being irregularly

shaped near its Eastern terminus,

but there being approximately 50

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through and under the North 10 feet

of the South 100 feet of Lots Num-

bered 2, 3, 4, 5, 6 and 7, L. F. Cur-

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and 6 in Orr's Mill Addition to the

City of Fort Wayne, Indiana, ac-

cording to the recorded plat there-

of, which said easement was grant-

ed to the City of Fort Wayne, Allen

County, Indiana, by Deed dated

May 26, 1941 and recorded May 26,

1941 in Deed Record 368 page 25 in

the Office of the Recorder of Allen

County, Indiana, and also shown by

County, Indiana, and also shown by

Record 16, page 7, on May 7, 1942.

SECTION 2. After passage of this Or-

dinance, approval by the Mayor and

legal publication, a duly certified copy

of this Ordinance, of the recommendation

of the Fort Wayne City Plan Commis-

sion, and of the action of the Mayor,

shall be transmitted by the City Clerk

to the Board of Public Works of the

City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be

in full force and effect from and after

its passage, approval by the Mayor and

legal publication thereof.

Paul M. Burns

Concliman

Read the third time in full and on mo-

tion by V. Schmidt, seconded by Hinga,

and adopted, placed on its pas-

sage, PASSED by the following vote:

Ayes: Eight

Burns, Hinga, Hunter, Nuckols, D.

Schmidt, V. Schmidt, Slier, Talarico

Nays: None

Absent: One

Moses

Date: 4-27-76 Charles W. Westerman

City Clerk

Passed and adopted by the Common

Council of the City of Fort Wayne, in-

diana, as General Ordinance No. G-12-

76 on the 27th day of April, 1976.

Charles W. Westerman

City Clerk

JAMES S. STIER,

Presiding Officer

Presented by me to the Mayor of the

City of Fort Wayne, Indiana on the 28th

day of April, 1976, at the hour of 11:00

o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,

City Clerk

Approved and signed by me this 28th

day of April, 1976, at the hour of 4:30

o'clock P.M., E.S.T.

Robert E. Armstrong

Mayor

I, Charles W. Westerman, Clerk of the

City of Fort Wayne, Indiana, do hereby

certify that the above and foregoing is

a full, true and complete copy of Gen-

eral Ordinance No. G-12-76 passed by

the Common Council on the 27th day of

April, 1976, and that said Ordinance

was duly signed and approved by the

Mayor on the 28th day of April, 1976

and now remains on file and on record

in my office.

WITNESS my hand, and the official

seal of the City of Fort Wayne, Indiana,

this 28th day of April, 1976.

CHARLES W. WESTERMAN

CITY CLERK

(Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines

number of lines

1

number of lines

131

number of lines

2

number of lines in notice

134

GES

\$ 1.1 columns wide equals 134 equivalent lines at 28¢ per line

\$ 38.50

charge for notices containing rule or tabular work (50 per cent of above

extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 40.09

COST

single column 11 ems

Size of type 5 1/2 point

insertions 2

Size of quad upon which type is cast 5 1/2

in and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla DeWald
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

5/4-11/76

Subscribed and sworn to before me this 11th day of May 1976

My commission expires September 28, 1979

Notary Public

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1

131

2

134

COMPUTATION OF CHARGES

134 lines, 1 columns wide equals 134 equivalent lines at .2884 cents per line

\$ 28.59

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 40.09

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 11, 1976

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

5/4-11/76

Subscribed and sworn to before me this 11th day of May 1976

My commission expires September 28, 1979

Notary Public

LEGAL NOTICE

Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-76-04-26 G-12-76 General Ordinance, to-wit:

BILL NO. G-76-04-26
GENERAL ORDINANCE NO. G-12-76

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of certain alleys and easement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of certain alleys and an easement having been filed with the Fort Wayne City Plan Commission on March 15, 1976 following a public hearing thereon all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 2, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat. 1974 Replacement, Sec. 52-744) the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alleys and easement, to-wit:

The North and South public alley approximately 16 feet in width running from Main Street to the first alley North of Main Street, and being a public alley existing between Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 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788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 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